

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
February 9, 1999, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation - David Kimble, Baha'i
- Pledge of Allegiance
- Approve the minutes of the previous meeting

-----  
AWARDS AND PRESENTATIONS

- Distinguished Service Citation.
- Proclamations.

-----  
PUBLIC AGENDA

- 1. Comments by Aaron Blase.
- 2. Comments by Dr. Walt Chappell.

-----  
NEW BUSINESS

- 3. Request for Letter of Intent for Tax Exempt Industrial Revenue Bonds - Stewart Properties Inc. (District III)  
  
Stewart Properties Inc., is requesting a Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$5.5 million.  
  
RECOMMENDED ACTION: Approve the issuance and authorize the Mayor to sign a one-year Letter of Intent for Industrial Revenue Bonds, subject to conditions.

4. HUD Section 108 Loan Guarantee Application - Business Assistance Program.

The Business Assistance Program will provide loans to small and minority-owned businesses in the Neighborhood Revitalization Area.

RECOMMENDED ACTION: Close the public hearing; approve the recommendations; approve the application; and authorize the Mayor to sign the necessary documents.

5. Transfer Station Regulations/Permitting.

Issues will be examined to determine if changes are needed to the City codes regulating solid waste.

RECOMMENDED ACTION: Direct appropriate actions pertaining to solid waste transfer stations within the City limits.

6. Arts and Crafts Center Building Lease Agreement. (District VI)

The SER Corporation has proposed to lease the facility in collaboration with other agencies to form the Hispanic Community Center Initiative.

RECOMMENDED ACTION: Approve the agreement; authorize the Mayor to sign; and approve CDBG allocations.

7. Implementation of the Cultural Arts Plan.

The proposal will have the Arts and Humanities Council becoming the focal point for coordinating the visibility and the promotion of cultural arts in the City.

RECOMMENDED ACTION: Adopt the agreement and approve the Ordinance.

8. General Obligation Refunding Bonds.

An Ordinance authorizing issuance of refunding bonds in the amount of \$935,000 for the advanced refunding of the City's outstanding general obligation bonds, series 730.

RECOMMENDED ACTION: Approve the Declaration of Emergency and adopt the Bond Ordinance on first reading; approve the Bond Purchase Agreement; and authorize the Mayor to sign the necessary documents.

9. Lincoln Park Improvements. (District I)

Improvements to Lincoln Park are recommended to enhance the neighborhood and provide activities for youth in the area, in coordination with the Bayley Street Railroad Improvements.

RECOMMENDED ACTION: Approve the project; adopt the Resolution; and authorize Staff to select a contractor.

10. Quarterly Financial Report for the Period Ending December 31, 1998.

RECOMMENDED ACTION: Receive and file.

11. Eaton Block Properties - Amendment to Agreement. (District I)

The developer has requested an amendment to the development agreement.

RECOMMENDED ACTION: Approve amendment to development agreement and authorize the Mayor to sign.

---

CITY COUNCIL AGENDA

12. Board/Commission Appointments (for terms expiring June 30, 1999):

Commission on the Status of People with Disabilities (2 appointments - Cole, Lambke)  
Convention & Tourism Committee (Ferris)  
Human Services Board (Council at large)  
Police & Fire Retirement Board of Trustees (Rogers)  
Wichita Commission on the Status of Women (3 appointments - Gale, 2-Lambke)  
Wichita-Sedgwick County Correctional Housing Board (Knight - Municipal Court Probation)

RECOMMENDED ACTION: Make the appointments.

13. Nomination to Sedgwick County Solid Waste Management Advisory Committee.  
(prior nomination rejected by the County Commission)

RECOMMENDED ACTION: Make the nomination.

14. Notice of Vacancy - Human Services Board.

One vacancy (Council at large), due to the nonattendance of Cyrel Foote, for a term expiring June 30, 1999.

RECOMMENDED ACTION: Appointment will be made February 23, 1999.

15. Proclamations:

-- Arbor Day

--Ted Leben Day

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

---

CONSENT AGENDA

16. Report of the Board of Bids and Contracts Dated February 8, 1999.

RECOMMENDED ACTION: Receive and file the Report, and approve the Contracts and authorize the Mayor to sign.

17. Application for Licenses for Adult Entertainment Establishments/Services.

New Adult Entertainment

Robert Floyd

Kellogg Gift Shop Inc.  
6143 West Kellogg

RECOMMENDED ACTION: Approve the license subject to Staff review and approval.

18. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal 1999 (Consumption on Premises)

Maria E. Romero Lopez

Angela's Cafe\*  
901 East Central

New Establishment

Anne Truong

Pho 99\* 1015  
North Broadway

\*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

19. Plans and Specifications:

- a. 1998-1999 Community Development Block Grant (CDBG) Local Investment Area (LIA) infrastructure improvements. ( 600700) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 7/1/98. (Districts I & III)
- b. 1999 contract maintenance bridge deck resurfacing at 13th Street North and Canal and westbound Central and Canal. (132249) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98 (District I)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., February 19, 1999.

20. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

21. Statement of Cost (Chesney).

Cost of constructing Baker Street from 11th Street North to 13th Street North in R.A. Morris Gardens, et, al. (472-82905) - \$154,850

RECOMMENDED ACTION: Approve and file.

22. Deeds and Easements:

- a. Drainage Easement dated January 5, 1999, from Bachman Enterprises, Inc. for a tract in Harbor Isle Second Addition. (SWS #517-Index No. 751272) (No Cost to City).
- b. Drainage Easement dated January 5, 1999, from Bachman Enterprises, Inc. for a tract in Harbor Isle Second Addition. (SWS #517-Index No. 751272) (No Cost to City).
- c. Drainage and Utility Easement dated January 7, 1999, from Bachman Enterprises, Inc. for a tract in Harbor Isle Second Addition. (SWS #517-Index No. 751272) (No Cost to City).
- d. Drainage Easement dated January 5, 1999, from Kelsey Development, Inc. for several tracts in Buckhead Third Addition. (SWS #521-Index No. 751271) (No Cost to City).
- e. Utility Easement dated November 13, 1998, from B. W. Hotels, L.L.C. for a tract in Fox Pointe Addition. (Private Project-Index No. 607861) (No Cost to City).
- f. Utility Easement dated November 10, 1998, from YMCA of Wichita for a tract of land in YMCA South Addition. (Private Project-Index No. 607861) (No Cost to City).
- g. Utility Easement dated December 14, 1998, from Socora Village Company for a tract of land in Evergreen Addition. (Lateral 342, SWI-Index No. 743625) (No Cost to City).
- h. Drainage Easement dated November 20, 1998, from Preston Trails, L.C. for several tracts of land in Balthrop Addition. (SWS #518-Index No. 751255) (No Cost to City).
- i. Easement dated October 30, 1998, from Slawson Properties, L.L.C. for a tract of land in Tallgrass East Commercial Addition. (Lateral 17, Main 24, WIS-Index No. 743781) (No Cost to City).
- j. Easement dated October 20, 1998, from Mid-America Financial Corporation for a tract of land in Tallgrass East Commercial Addition. (Lateral 17, Main 24, WIS- Index No.743781) (No Cost to City).
- k. Sanitary Sewer Easement dated January 25, 1999, from J. W. Owen and The Arc of Sedgwick for a tract of land in Woodlake Addition. (Lateral 162, SS #22-Index No. 743786) (No Cost to City).
- l. Drainage Easement dated October 5, 1998, from Northwest Christian Church for a tract of land in Northwest Christian Church Addition. (SWS #503-Index No. 751222) (No Cost to City).
- m. Drainage Easement dated October 5, 1998, from Northwest Christian Church for a tract of land in Northwest Christian Church Addition. (SWS # 503-Index No. 751222) (No Cost to City).
- n. Utility Easement dated December 8, 1998, from Reflection Ridge Golf Course, Inc. for a tract of land in Northridge Lakes Addition. (Lateral 423, SWI-Index No. 743787) (No Cost to City).
- o. Easement dated October 22, 1998, from 3-AH, Inc. for a tract of land in Aberdeen Second Addition. (Lateral 370, SWI-Index No. 743682) (No Cost to City).
- p. Easement dated October 12, 1998, from 3-AH, Inc. for a tract of land in Aberdeen Second Addition. (Lateral 370, SWI-Index No. 743682) (No Cost to City).
- q. Easement dated October 12, 1998, from 3-AH, Inc. for a tract of land in Aberdeen Second Addition. (Lateral 370, SWI-Index No. 743682) (No Cost to City).

- r. Drainage Easement dated for January 20, 1999, from Reflection Ridge Golf Course, Inc. for a tract of land in Northridge Lakes Addition. (Northridge Lakes Addition Paving-Index No. 765551) (No Cost to City).
- s. Dedication dated August 31, 1998, from Gyan J. Khicha, M.D. and Manorama Khicha and Covenant Development Corporation for a tract of land in the Northwest Quarter of Section 9, Township 27 South, Range 1 East-21st Street North -Webb Road to Greenwich Road. (Index No. 706655) (No Cost to City).
- t. Sanitary Sewer Easement dated September 23, 1998, from Brown Family Living Trust, Kenneth L. Brown, Trustee for a tract of land in the Southwest Quarter of Section 9, Township 28 South, Range 1 East. (Private Project-Index No. 607861) (No Cost to City).
- u. Sanitary Sewer Easement dated November 25, 1998, from Joyland Hillside Park, Inc. for a tract of land in Second Replat of Part of Pawnee Ranch Addition. (War Industries Relief Sewer- Phase 1A-Project No. 468-82928) (No Cost to City).
- v. Sanitary Sewer Easement dated November 25, 1998, from Joyland Hillside Park, Inc. for a tract of land in Second Replat of Part of Pawnee Ranch Addition. (War Industries Relief Sewer- Phase 1A- Project No. 468-82928) (No Cost to City).
- w. Sanitary Sewer Easement dated November 25, 1998, from Joyland Hillside Park Inc. for a tract of land in Second Replat of Part of Pawnee Ranch Addition. (War Industries Relief Sewer- Phase 1A-Project No. 468-82928) (No Cost to City).
- x. Sanitary Sewer Easement dated November 25, 1998, from Joyland Hillside Park Inc. for a tract of land in Replat of Part of Pawnee Ranch Addition. (War Industries Relief Sewer- Phase 1A-Project No. 468-82928) (No Cost to City).
- y. Sanitary Sewer Easement dated November 23, 1998, from Unified School District No. 259 for a tract of land in the Northeast Quarter of Section 3, Township 28 South, Range 1 East (War Industries Relief Sewer- Phase 1A-Project No. 468-82928) (No Cost to City).
- z. Sidewalk Easement dated January 27, 1999, from Bette L. Worford Trust for a tract of land in Westlink Fifth Addition. (No cost to City).

RECOMMENDED ACTION: Accept the Documents.

23. Petitions for Public Improvements:

- a. Storm water sewer to serve Harbor Isle Second Addition - east of Meridian, south of 53rd Street North. (District VI)
- b. Water distribution system to serve part of Arbor Lakes Estates - south of Harry, west of 159th Street East. (District II)
- c. Paving and a water distribution system to serve part of Rainbow Lakes West Third Addition - north of Maple, east of 135th Street West. (District V)
- d. Construct a decel lane and fire hydrant to serve Golf Park West Addition - south of 21st Street, west of Ridge Road. (District V)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

24. Minutes of Advisory Boards/Commissions:

Board of Electrical Appeals, 1-12-99

CPO Northeast Council 1, 1-11-99  
CPO East Council 2, 1-11-99  
CPO North Central Council 6, 1-27-99  
Commission on the Status of Women, 1-6-99  
Wichita Airport Authority, 12-21-98  
Wichita Public Library, 1-19-99  
Wichita/Sedgwick County Emergency Communications Advisory Board, 1-21-99

RECOMMENDED ACTION: Receive and file.

25. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

26. Proposed Assessment Rolls.

Proposed assessment rolls have been prepared for 22 water and 18 sewer projects, and it is necessary to set a public hearing date. Informal hearing with City personnel will be held March 3, 1999.

RECOMMENDED ACTION: Set the hearing on the Proposed Assessment Rolls for 11:00 a.m., Tuesday, March 16, 1999.

27. Weapons Destruction.

RECOMMENDED ACTION: Receive and file the list of weapons.

28. Agreements/Contracts:

- a. Design services for Buckhead Third Addition - north of Central, west of 119th Street West. (District V)
- b. Easement encroachment for Lot 2, Block 2, Tract A, Rockwood South Fifth Addition - at 225 South Armour. (District II)
- c. Easement Encroachment for Lot 5, Block 2, Willowbend Fifth addition - at Rock road, north of 37th Street North. (District VI)
- d. Respread special assessments - Oak Ridge Second Addition - east of Tyler, south of 29th Street North. (District V)
- e. Design services for Rocky Creek Addition - north of 13th Street, east of 127th Street East. (District II)
- f. Design Contracts: arterials, parks and water system improvements. (Districts V & VI)
- g. Contract for Recruitment Services.
- h. Group Life Insurance.

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the Mayor to sign.

29. Supplemental Agreement for Aerial Photography and Ortho Photo Database Project.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the Mayor to sign.

30. Narcotic Seizure Accounts.
- RECOMMENDED ACTION: Adopt the budgets and authorize the necessary signatures for the annual certification report.
31. IRB Reinstatement and Extension of Letter of Intent - Ritchie Companies. (District V)
- RECOMMENDED ACTION: Approve reinstatement and extension of the original letter of intent to issue IRBs in the amount of \$3,600,000 through August 4, 1999.
32. Budget Adjustment for Replacement Equipment to Wichita Baseball, Inc. (Districts I & IV)
- RECOMMENDED ACTION: Approve the budget adjustment.
33. Property Acquisitions:
- a. Acquisition of 3 Hunter Lane for the Kellogg improvement project. (District II)
- b. Acquisition of a Portion of property located at 5500 West Central (Tract No. 9) for the Central Avenue improvement project from West Street to I-235. (District VI)
- RECOMMENDED ACTION: Approve the budgets and Contracts, and authorize the Mayor to sign the necessary documents.
34. Property Dispositions:
- a. Property sale located at 3850 East Sunnybrook. (District III)
- b. Sale of 801 North Volutsia. (District I)
- RECOMMENDED ACTION: Approve the sales; approve the Contracts; and authorize the Mayor to sign necessary documents.
- c. Invitation for proposals and notice of intent to accept proposal for disposition of land in the Wichita NDP Urban Renewal Area - Eastbank.
- RECOMMENDED ACTION: Receive and file and instruct the City Clerk to publish the notice.
35. Ordinance to Establish "LC" Light Commercial for Property Located North of 21st Street North on the West Side of Maize Road. (District V)
- RECOMMENDED ACTION: Approve first reading of the Ordinance.
36. Creation of the Department of Housing.
- RECOMMENDED ACTION: Approve first reading of the Ordinance.

---

### PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1)

City Council Meeting – February 9, 1999



unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\*Consent Items

- \*37. D-1750 - Dedication of Emergency Access Easement Located on the South Side of 29th Street North, on the West of Ridge Road. (District V)

MAPC Recommendation: Accept the dedication.

RECOMMENDED ACTION: Accept the dedication.

- \*38. D-1751 - Dedication of Utility Easement Located North of 37th Street North, East of Interstate 235. (District VI)

MAPC Recommendation: Accept the dedication.

RECOMMENDED ACTION: Accept the dedication.

- \*39. S/D 98-41 - Plat of Copper Gate Addition Located on the Northwest and Southwest Corner of 13th Street North and 135th Street West. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; and adopt the Resolutions.

- \*40. S/D 98-103 - Plat of They Made Me Plat Addition Located North of 31st Street South, East of Greenwich Road.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat; and authorize the Mayor to sign.

41. CU-500 - Conditional use Request to Allow Vehicle Sales on Property Located at the Southeast Corner of Rock Road and Harry Street. (District II)

MAPC Recommendation: Approve the Conditional Use request.

CPO Recommendation: Approve the Conditional Use request.

Staff Recommendation: Deny the Conditional Use request.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the Conditional Use request, subject to the recommended conditions; or  
2. Deny the request; or

3. Return the application to the MAPC for reconsideration.

42. CU-504 - Conditional Use Request to Allow Car Wash on Property Located at the Northeast Corner of Maple and Anna. (District IV)

MAPC Recommendation: Approve Conditional Use request.

CPO Recommendation: Approve Conditional Use request.

Staff Recommendation: Approve Conditional Use request.

- RECOMMENDED ACTION:
1. Concur with the findings of the MAPC and approve the Conditional Use request, subject to the recommended conditions; or
  2. Deny the request; or
  3. Return the application to the MAPC for reconsideration.

\*43. Z-3303 - Zone Change Request from "SF-6" Single-Family and "LC" Limited Commercial to "LI" Limited Industrial, Located North of K-42 Between Tyler Road (Old Alignment) and Hoover Road. (District IV)

MAPC Recommendation: Approve, subject to Platting within one year.

CPO Recommendation: Approve.

Staff Recommendation: Approve.

- RECOMMENDED ACTION:
1. Concur with the findings of the MAPC and approve the zone change to "LI" Limited Industrial, subject to Platting within one year; and approve first reading of the Ordinance; or
  2. Return the application to the MAPC for reconsideration.

44. Z-3304 - Request for Zone Change from "SF-6" Single-Family Residential to "LC" Limited Commercial, Located North of Central and East of 135th Street West. (District V)

MAPC Recommendation: Approve 'NO' Neighborhood Office, subject to the additional provisions of a Protective Overlay.

CPO Recommendation: Approve 'NR' Neighborhood Retail.

Staff Recommendation: Approve 'NO' Neighborhood Office, subject to the additional provisions of a Protective Overlay.

- RECOMMENDED ACTION:
1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of Platting and the additional conditions of a Protective Overlay; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or
  2. Deny the request; or

3. Return the application to the MAPC for reconsideration.

- \*45. Z3307 - Zone Change Request from “SF-6” Single-Family Residential to “TF-3” Two-Family Residential, Located North of 21st Street North and ½ Mile East of 119th Street West. (District V)

MAPC Recommendation: Approve, subject to Staff recommendations.

CPO Recommendation: Approve

Staff Recommendation: Approve.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of Platting; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

46. Z-3308 - Zone Change Request from “GO” General Office to “LC” Limited Commercial; and DP-191 - An Amendment to Wilson Property Commercial C.U.P., Located at the Southeast Corner of Rock Road and Bradley Fair Parkway. (District II)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to MAPD Staff recommendations.

Staff Recommendation: Approve subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change and amendment to the Community Unit Plan, subject to the condition of Platting and the recommended conditions; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or;

2. Return the application to the MAPC for reconsideration.

- \*47. A 99-2 - Lawrence Development, LLC Requests the Annexation of Property Located at the Southwest Corner of 21st Street North and Ridge Road. (District V)

RECOMMENDED ACTION: Approve annexation request.

- \*48. A 99-4 - Requests the Annexation of Property Generally Located ½ Mile South of 13th Street North on the East Side of Webb Road. (District II)

RECOMMENDED ACTION: Approve annexation request.

- \*49. A 99-6 - Requests the Annexation of Property Generally Located at the Southeast Corner of 37th Street North and Ridge Road. (District V)

RECOMMENDED ACTION: Approve annexation request.

Adjourn to Workshop

\* \* \* \* \*